

1 MICHAEL A. JACOBS (CA SBN 111664)  
2 MJacobs@mofo.com  
3 ARTURO J. GONZÁLEZ (CA SBN 121490)  
AGonzález@mofo.com  
3 MORRISON & FOERSTER LLP  
4 425 Market Street  
San Francisco, California 94105-2482  
5 Tel: 415.268.7000 / Fax: 415.268.7522

6 KAREN L. DUNN (*Pro Hac Vice*)  
kdunn@bsfllp.com  
7 HAMISH P.M. HUME (*Pro Hac Vice*)  
hhume@bsfllp.com  
8 BOIES SCHILLER FLEXNER LLP  
1401 New York Avenue, N.W.  
Washington DC 20005  
9 Tel: 202.237.2727 / Fax: 202.237.6131

10 WILLIAM CARMODY (*Pro Hac Vice*)  
bcarmody@susmangodfrey.com  
11 SHAWN RABIN (*Pro Hac Vice*)  
srabin@SusmanGodfrey.com  
12 SUSMAN GODFREY LLP  
13 1301 Avenue of the Americas, 32nd Floor  
New York, NY 10019-6023  
14 Tel: 212.336.8330 / Fax: 212.336.8340

15 Attorneys for Defendants  
16 UBER TECHNOLOGIES, INC.  
and OTTOMOTTO LLC

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN FRANCISCO DIVISION

21 WAYMO LLC,

Case No. 3:17-cv-00939-WHA

22 Plaintiff,  
23 v.  
24 UBER TECHNOLOGIES, INC.,  
OTTOMOTTO LLC; OTTO TRUCKING  
25 LLC,  
26 Defendants.

**DECLARATION OF CAMILA  
TAPERNOUX IN SUPPORT OF  
DEFENDANTS UBER  
TECHNOLOGIES, INC. AND  
OTTOMOTTO LLC'S RESPONSE TO  
WAYMO'S PRECIS IN SUPPORT OF  
ITS REQUEST TO FILE A MOTION  
FOR RELIEF BASED ON  
DEFENDANTS' LITIGATION  
MISCONDUCT**

27 Trial Date: February 5, 2018

1 I, Camila Tapernoux, declare as follows:

2 1. I am an attorney with the law firm of Morrison & Foerster LLP. I am a member in  
3 good standing of the Bar of the State of California. I make this declaration based on personal  
4 knowledge and, if called as a witness, I could and would testify competently to the matters set  
5 forth herein. I make this declaration in support of Defendants Uber Technologies, Inc. and  
6 Ottomotto LLC's ("Uber") Response to Waymo's Precis in Support of Its Request to File a  
7 Motion for Relief Based on Defendants' Litigation Misconduct.

8 2. Attached hereto as **Exhibit A** are relevant pages from the deposition of  
9 Craig Clark, taken on December 22, 2017.

10 3. Attached hereto as **Exhibit B** are relevant pages from the deposition of  
11 Kevin Maher, taken on December 12, 2017.

12 4. Attached hereto as **Exhibit C** are relevant pages from the 30(b)(6) deposition of  
13 Randy Haimovici, taken on December 21, 2017.

14 5. Attached hereto as **Exhibit D** are relevant pages from the deposition of Salle Yoo,  
15 taken on December 14, 2017.

16 6. Attached hereto as **Exhibit E** are relevant pages from the deposition of Lior Ron,  
17 taken on December 12, 2017.

18 7. Attached hereto as **Exhibit F** are relevant pages from the deposition of  
19 Scott Johnston, taken on December 14, 2017.

20 8. Attached hereto as **Exhibit G** is a true and correct copy a document produced in  
21 this litigation bearing Bates numbers WAYMO-UBER-00145156—WAYMO-UBER-00145157.

22 9. Attached hereto as **Exhibit H** is a true and correct copy a document produced in  
23 this litigation bearing Bates numbers WAYMO-UBER-00145114—WAYMO-UBER-00145127.

24 10. Attached hereto as **Exhibit I** is a true and correct copy of the transcript of Motions  
25 Hearing in *Function Media, LLC v. Google, Inc.*, No. 2007-CV-279, No. 483 (E.D. Tex. Oct. 21,  
26 2010).

27 11. Attached hereto as **Exhibit J** are relevant pages from the deposition of  
28 Edward Russo, taken on December 20, 2017.

12. Attached hereto as **Exhibit K** are relevant pages from the deposition of Matthew Henley, taken on December 22, 2017.

13. Attached hereto as **Exhibit L** are relevant pages from the deposition of Jake Nocon, taken on December 19, 2017.

14. Attached hereto as **Exhibit M** are relevant pages from the 30(b)(6) deposition of Nick Gicinto, taken on December 21, 2017.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 14th day of January, 2018 at San Francisco, California.

/s/ *Camila Tapernoux*  
CAMILA TAPERNOUX

## ATTESTATION OF E-FILED SIGNATURE

I, Arturo J. Gonzalez, am the ECF User whose ID and password are being used to file this Declaration. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Camila Tapernoux has concurred in this filing.

Dated: January 14, 2018

/s/ Arturo J. González

ARTURO J. GONZÁLEZ